REMARKS

Claims 2, 4, 7, and 9 are before the Examiner for continued examination. Independent claim 9 is amended to recite an inorganic peroxide polymerization initiator, based upon such disclosure as that on page 7 of the specification ("As an initiator, inorganic ... peroxides are preferably used"). Also, the preamble of claim 9 is amended for greater clarity. Attention in this regard is directed to the paragraph bridging pages 10-11 of the specification. No new matter is introduced by this Amendment. Favorable action is respectfully solicited for amended independent claim 9 and claims 2, 4, and 7 which depend therefrom.

Rejection

Claims 2, 4, 7, and 9 had been rejected under 35 U.S.C. 102(e) as being anticipated by US 7,183,347 B2 (Ota). Office Action, page 3. The rejection does not apply to the claims in their present form.

The Advisory Action asserts that "Ota discloses polymerization with initiator benzoyl peroxide to form latex which would have residual peroxide which reads on" Applicants' claims. In the Ota patent, "benzoyl peroxide" is mentioned only as an example of the polymerization initiator which is used in the production of the Ota conjugated diene-based rubber latex. Column 4, lines 38-50. The Ota patent contains no disclosure of an actual process (which has been or could be carried out) that falls within the scope of Applicant's claims.

Example 9 in Ota discloses rubber gloves made by dip molding. These Ota gloves are made from a conjugated diene-based rubber latex E (column 11, lines 35-66), which is obtained by using potassium persulfate as the polymerization initiator. The dip-forming composition in Ota Example 9 contains neither sulfur nor curing accelerator. It is undeniable that Ota Example 9 does not disclose a step of adding a dibenzoyl peroxide to his conjugated diene rubber latex. The dip-forming composition in Example 9 of Ota therefore contains no benzoyl peroxide. Accordingly, Example 9 in Ota does not anticipate Applicants' invention.

Since Applicants' latex as recited in the claims hereinabove is obtained using an inorganic peroxide as a polymerization initiator (as in Example 9 of Ota), Applicants' latex (like Ota's) has ***no residual dibenzoyl peroxide*** therein. Ota is completely silent regarding a step of ***adding*** a dibenzoyl peroxide to a conjugated diene rubber latex.

Withdrawal of the rejection of record – which is based upon alleged anticipation in the sense of 35 U.S.C. 102 – is in order and is earnestly solicited, as is prompt allowance of claims 2, 4, 7, and 9 as they are not set forth in the present application.

Contact information

If there are any questions concerning this application, please contact Richard Gallagher, Registration No. 28,781, at (703) 205-8008.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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